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Freight Company President Arrested Over Shipment of Pesticide

By MATTHEW L. WALD

Federal prosecutors have arrested the president of a freight forwarding company in Miami and accused him of trying to illegally ship 500 pounds of a corrosive pesticide as passenger baggage on an airline jet, with the warning labels covered over with black plastic.

The shipment was discovered when one of the ten 50-pound bags leaked before the plane, an American Airlines flight to Quito, Ecuador, left the gate. Prosecutors said the fumes sickened five passengers, but a spokeswoman for American, Martha Pantin, said that no passengers had been made ill. She said, though, that two baggage handlers were taken to the hospital as a precaution.

Airline officials ordered everyone off the Boeing 757 and substituted a different plane for the flight, on Oct. 1. In flight, the plane's ventilation system would have recirculated the fumes through the passenger cabin.

Two days after the incident, prosecutors say, they listened in on a telephone call in which Angel D. Fuentes, the president of Executive Freight Consolidators, and his secretary, Hilda Dorta, tried to arrange shipment of five more 50-pound bags by the same method; Mr. Fuentes was then arrested. According to court papers filed by the Federal Bureau of Investigation, Mr. Fuentes said "he didn't care how it was shipped so long as the shipment got to its destination."

Since a Valujet DC-9 crashed soon after takeoff from Miami in May 1996, several Federal agencies have been trying to tighten scrutiny over cargo shipments by air. Several airlines have been caught carrying the same cargo that destroyed the Valujet plane, oxygen generators, and intermittent incidents have made clear that hazardous cargoes are still being improperly shipped.

According to Dow Chemical, the product that leaked aboard the American Airlines plane, sodium o-phenylphenate tetrahydrate and sodium hydroxide, may cause severe eye irritation and can injure the cornea, with the possibility of permanent impairment of vision or blindness. It can also damage the skin and upper respiratory tract.

Wilfredo Hernandez, a spokesman for the United States Attorney's Office in Miami, said: "It's a particularly lethal pesticide. It's corrosive, it eats aluminum, and if it's not removed correctly, it continues eating." The material was in powder form. He added that his office was looking into the practice of companies sending what is essentially cargo as checked baggage.

According to court papers, the chemical, an anti-microbial agent, was properly labeled on the manufacturer's bags but had been re-wrapped in black plastic and sent to a second company, PABS Trading Inc., which gave the bags to a courier. PABS paid the excess baggage charges to the airline.

"Executive provided PABS with a receipt identifying the bags in Spanish as 'sulfur,' " according to an affidavit for a search warrant filed by the F.B.I. American Airlines said its gate agent showed the courier a list of items that cannot be carried on board and asked whether he had any of them. The courier said no, according to Ms. Pantin.

Ms. Pantin says that Executive Freight Consolidators and PABS Trading have been barred from shipping freight on American Airlines; so has a third company, Technocarga, but she could not say what connection it had to the incident.

In response to the incident, the Federal Aviation Administration has begun an investigation of whether its rules were followed properly by American Airlines and whether the rules are adequate.